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Dkt. 0575/51917-C-PCT-US/JPW/JML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David J. Pinsky, et al.
U.S. Serial No.: 09/671,100
Filed : September 27, 2000
For : METHODS FOR TREATING ISCHEMIC DISORDER AND
IMPROVING STROKE OUTCOME

1185 Avenue of the Americas
New York, New York 10036
December 6, 2000

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

**COMMUNICATION IN RESPONSE TO
NOVEMBER 13, 2000 NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(b)**

In response to a Notice to File Missing Parts of Application Filing Date Granted under 37 C.F.R. §1.53(b) issued in connection with the above-identified application on November 13, 2000, a copy of which is enclosed as **Exhibit A**. The surcharge for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) is SIXTY FIVE DOLLARS (\$65.00) for a small entity. Applicants attach hereto as **Exhibit C** a signed Verified Statement Claiming Small Entity Status and maintain that small entity status is applicable. A check including \$65.00 is enclosed herewith. In accordance with the Notice, the deadline for submitting a response is January 13, 2001. Accordingly, this Communication is being timely filed.

Applicants: David J. Pinsky, et al.
U.S. Serial No.: 09/671,100
Filing Date: September 27, 2000
Page 2

Applicants submit as **Exhibit B** a Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.63. The Declaration refers to the application's above-identified serial number and filing date.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

Applicants: David J. Pinsky, et al.
U.S. Serial No.: 09/671,100
Filing Date: September 27, 2000
Page 3

No fee, other than the enclosed \$65.00 surcharge fee is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Jane M. Love

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Jane M. Love 12/6/00

John P. White
Reg. No. 28,678
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Date

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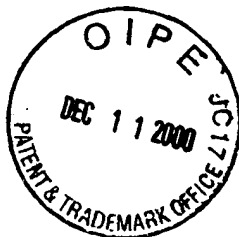


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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/671,100 | 09/27/2000 | David J. Pinsky | 51917-C-PCT-US |

John P White
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FORMALITIES LETTER



OC000000005549969

Date Mailed: 11/13/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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